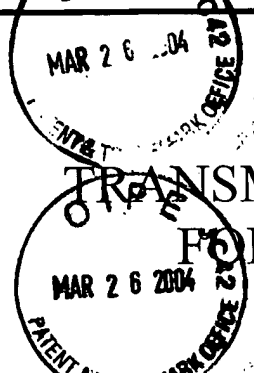


61

AF
3138

 TRANSMITTAL FORM	Application Serial Number	09/935,487*
	Filing Date	August 23, 2001
	First Named Inventor	Rioux
	Group Art Unit	3738
	Examiner Name	B. Pellegrino
	Attorney Docket No.	BSC-187
	Patent No.	Not Yet Assigned
	Issue Date	Not Yet Assigned

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input checked="" type="checkbox"/> Amendment and Response (9 pgs.) <input type="checkbox"/> Preliminary <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return receipt postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
--	---	---

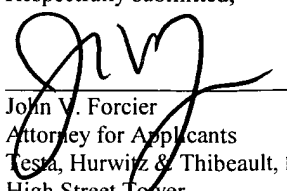
RECEIVED
MAR 30 2004

TECHNOLOGY CENTER R3700

CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

 Date: March 24, 2004
 Reg. No. 42,545
 Tel. No.: (617) 248-7675
 Fax No.: (617) 248-7100
 John V. Forcier
 Attorney for Applicants
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110



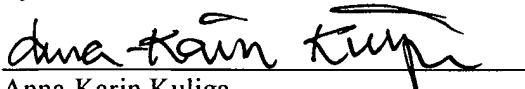
PATENT
Attorney Docket No. BSC-187

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Rioux *et al.* CONFIRMATION NO.: 1401
SERIAL NO.: 09/935,487 GROUP NO.: 3738
FILING DATE: August 23, 2001 EXAMINER: B. Pellegrino
TITLE: Maintaining an Open Passageway Through a Body Lumen

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 24th day of March, 2004.


Anna-Karin Kuliga

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is/are:

1. Transmittal Form (1 pg.);
2. Amendment and Response (9 pgs.); and a
3. Return receipt postcard.

3042925

RECEIVED
MAR 30 2004
TECHNOLOGY CENTER R3700



PATENT
Atty. Docket No. BSC-187

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Rioux *et al.* CONF. NO.: 1401
SERIAL NUMBER: 09/935,487 ART UNIT: 3738
FILING DATE: August 23, 2001 EXAMINER: B. Pellegrino
TITLE: Maintaining an Open Passageway Through a Body Lumen

**REPLY UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER 3738**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

MAR 30 2004

TECHNOLOGY CENTER R3700

AMENDMENT AND RESPONSE AFTER FINAL ACTION

This paper is responsive to a final Office action, Paper No. 11, mailed from the U.S. Patent and Trademark Office on January 26, 2004. Applicants believe this submission necessitates no petition or fee. Nevertheless, if any petition or fee is required, please consider this a conditional petition therefor and authorization to charge deposit account no. 20-0531.

In response to the Office action, please amend the above-identified application, without prejudice, as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.